REMARKS/ARGUMENTS

Consideration of this RCE in view of the foregoing amendments and the following remarks is respectfully requested.

A request for continuing examination and the appropriate fees have been filed herein. A petition for an extension of time and the appropriate fees have also been filed herein.

Claims 1-9 remain in this application. Claims 1, and 6 have been amended to more clearly define the invention. Support for the recital of "socket members being closed except for an opening at the top" in claims 1 and 6 is found in the present specification, for example, at p. 9, Lns. 14-15. Support for the recital "wherein said post and socket members are adapted to forming airtight seals with one another when interengaged"is found in the present specification, for example, at p. 9, Lns. 12-17.

The rejection of claims 1 through 9 under 35 U.S.C.103(a) as unpatentable over Han (6,663,310) in view of Miyamoto (3,612,709) is respectfully traversed. The outstanding Office Action notes that:

> "However Han does not disclose: wherein each of the binder spines have various dimensional configurations from the others and the mating walls being generally straight-sided cylinders throughout their lengths."

And then holds:

> "Miyamoto discloses a binder having posts 5 and sockets 4 (Column 2, Lines 13-17; Figure 1, Items 4, 5) which are both cylindrical and therefore having mating walls that are generally cylindrical (Figure 4)."

The holding as to Miyamoto's teachings is directly contradicted by Miyamoto. In the paragraph bridging Cols 1 and 2 through Col. 2, ln. 9 Miyamoto teaches:

"On an inner surface of cover plate 1 and near its outer edge are provided two posts 4 of substantially frustoconical shape. On an inner surface of base plate 2 and near its outer edge are provided two sockets 5 having generally cylindrical inner surfaces and two apertures 6 for securing the base plate 2 to binder covers. The inside diameters of the sockets 5 are somewhat smaller than the outer diameters of the frustoconical posts 4 at their bases so that the posts 4 when fitted into the sockets 5 are kept in tight engagement with the interior walls of the sockets 5 owing to the friction of the synthetic resin." (Emphasis added).

It seems clear beyond dispute that Miyamoto's posts are frustoconical shaped, and not cylindrical shaped. The posts are wedges. The teaching is that frustoconical posts must be wedged into cylindrical sockets to keep the two engaged.

According to Miyamoto's Fig. 3, the socket 5 is open at the bottom so there is no "snap fit" (as recited in your applicant's claims) disclosed, suggested or even possible between Miyamoto's post and socket. An open bottomed socket can not form an airtight seal with a post. The present claims recite that the socket members are closed except for an opening at the top. Miyamoto's sockets have two openings, one at each end.

The holding of obviousness is not supported by the references, because the references do not contain the teaching that is ascribed to them. The teachings of Miyamoto as to the need for a frustoconical wedge shaped post to hold the post and socket together teaches away for applicant's recited cylindrical post and socket.

Miyamoto's post and socket are different structurally and function in an entirely different way than the claimed subject matter.

The further grounds for the rejection of claims 1-5, 8 and 9 are respectfully traversed. Han's binder spines are not disclosed or suggested to be a system composed of progressively different sizes. See claims 1, 2, 4, and 5. There is nothing in Han to suggest such a system. It is respectfully submitted that a system with progressively

different sizes is not within the skill of a routineer in the art. The recited system has enjoyed substantial commercial success.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.